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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/803,127 | 03/17/2004 | Koichiro Hirabayashi | YAMAP0909US | 4889 |
| 43076 | 7590 | 07/17/2006 | EXAMINER | |
| MARK D. SARALINO (GENERAL) RENNER, OTTO, BOISSELLE & SKLAR, LLP 1621 EUCLID AVENUE, NINETEENTH FLOOR CLEVELAND, OH 44115-2191 | | | | BLOUIN, MARK S |
| | | ART UNIT | | PAPER NUMBER |
| | | 2627 | | |

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-----------------|--------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/803,127 | HIRABAYASHI ET AL. |
| | Examiner | Art Unit |
| | Mark Blouin | 2627 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 17 March 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

Detailed Action

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Konishi et al (US 6,256,167).

3. Regarding Claim 1, Konishi et al (Figs. 1 and 3) shows shows a magnetic recording and reproduction apparatus, comprising a main chassis (8) having a rotatable head cylinder (38) provided thereon and a sub chassis (3) on which a tape cassette is mountable, a plurality of tape pull-out members (Col 11, lines 32-67) acting so as to pull out a tape from the tape cassette, wherein the sub chassis is movable with respect to the main chassis between a tape cassette mountable position and a tape pull-out completion position, and the tape cassette mountable position is a position at which the tape cassette is mountable on the sub chassis and the tape pull-out completion position is a position at which information recording to and information reproduction from the tape which has been pulled out from the tape cassette and has been wound around the rotatable head cylinder, can be performed; and all the plurality of the tape pull-out members are mounted on the sub chassis (Col 12, lines 1-67).

4. Regarding Claim 2, Konishi et al (Figs. 1 and 13) shows a magnetic recording and reproduction apparatus, wherein each of the plurality of tape pull-out members acts so as to pull

out the tape from the tape cassette while the sub chassis moves from the tape cassette mountable (Fig. 1) position to the tape pull-out completion position (Fig. 13).

5. Regarding Claim 3, Konishi et al (Figs. 1 and 3) shows a magnetic recording and reproduction apparatus, wherein at least one of the plurality of tape pull-out members (39,40) is engaged with (Col 7, line 40) the main chassis (8).

6. Regarding Claim 4, Konishi et al (Figs. 1 and 3) shows a magnetic recording and reproduction apparatus, further comprising at least one cam section (66) for driving at least one of the plurality of tape pull-out members (39,40); wherein the at least one of the plurality of tape pull-out members is engaged with a corresponding one of the at least one cam section, and the at least one cam section is provided on the main chassis (Col 7, lines 39-67).

7. Regarding Claim 5, Konishi et al (Fig. 2) shows a magnetic recording and reproduction apparatus, further comprising a securing guide section provided on the main chassis (8) and an elastic member (24) provided on the main chassis wherein when the sub chassis (3) moves to a position in the vicinity of the tape pull-out completion position a portion of one of the plurality of tape pull-out members (39,40) contact the elastic member (24) and thus the one of the plurality of tape pull-out members is pressed to the securing guide section so as to position the one of the plurality of tape pull-out members at a prescribed position.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is 571-272-7583. The examiner can normally be reached on M-F from 6:00 to 3:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen, can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark Blouin
Patent Examiner
Art Unit 2653
July 7, 2006